

MINUTES OF MEETING
SOUTHEAST CASS WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
MARCH 11, 2014

The Southeast Cass Water Resource District met on March 11, 2014, at 1:30 p.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Mark Brodshaug, Chairman; Dan Jacobson, Manager; Lance Yohe, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Brittany C. Moen, Administrative Assistant; Sean M. Fredricks, Attorney for the Board; Chad Engels, Kyle Volk and Kurt Lysne, Engineers for the Board; Brady Woodard, Moore Engineering, Inc.; Vern Bennett, Cass County Commission; Jacob Gust, Sheyenne-Maple Flood Control District #1 Superintendent; Pat Downs, Red River Retention Authority; Keith Berndt, Cass County Administrator; Jason Benson, Cass County Engineer; Mark Bittner, Fargo Director of Engineering; Bob Backman, River Keepers; Brett Coleman and Jeff Hanson, Corps of Engineers (by telephone); Kevin Gorder, North Dakota Department of Transportation; Chris Brungardt, West Fargo Public Works Director; and Karl Bauer, Amber Plains Subdivision resident.

Minutes

It was moved by Manager Jacobson, seconded by Manager Yohe and unanimously carried to approve the minutes of the February 11 and February 24, 2014, meetings.

Approval of agenda

It was moved by Manager Yohe, seconded by Manager Jacobson and unanimously carried to approve the order of the agenda.

Wild Rice River Dam – Brett Coleman, Corps of Engineers

Brett Coleman and Jeff Hanson reviewed information regarding the Wild Rice River Dam fish passage design and presented cost estimates for the different alternatives of removing or replacing the dam. Mr. Coleman pointed out that extra costs for potential bank stability issues for each alternative were not included in the cost estimates.

Keith Berndt said the project would be funded through the Metro Flood Diversion Project so the Diversion Authority will need to approve the chosen alternative, but would like a recommendation from the Southeast Cass Water Resource District.

Bob Backman said the Fargo Park District, in cooperation with Cass County, have looked at the possibility of constructing a boat or canoe ramp near the confluence of the Wild Rice River and Red River, and said a fish passage structure would be an impediment to boats and canoes. Mr. Backman said River Keepers has no formal

preference to the alternatives for the dam, but suggested the total removal of the structure would be better for the river and recreationalists.

It was moved by Manager Jacobson and seconded by Manager Yohe to recommend to the Diversion Authority that the Wild Rice Dam be removed as mitigation for the Metro Flood Diversion Project. Upon roll call vote, the motion carried unanimously.

Sheyenne River and Wild Rice River Snagging and Clearing Projects

Brady Woodard updated the Board on the Sheyenne River and Wild Rice River Snagging and Clearing Projects. American Enterprises, Inc. is expected to complete work this week from State Highway 46, north to Cass County Highway 18. The projects will be closed out at the next meeting.

Sheyenne-Maple Flood Control District #1 – non-flood operation for the bridge replacement on the Sheyenne River at Main Avenue in West Fargo

Kevin Gorder and Chris Brungardt met with the Board to discuss non-flood operation of the Sheyenne Diversion to allow for the bridge replacement on the Sheyenne River at Main Avenue in West Fargo in the spring of 2015. Mr. Brungardt requested that the Board consider operating the Diversion for an extended period to allow for construction of the bridge.

It was moved by Manager Yohe and seconded by Manager Jacobson to accept the concept of non-flood operation of Sheyenne-Maple Flood Control District #1 to allow construction of the bridge replacement on the Sheyenne River at Main Avenue in West Fargo, as set out by Southeast Cass Water Resource District's *Conditions for Operating the Project During Non-Flood Times*. Upon roll call vote, the motion carried unanimously.

Mr. Brungardt will meet with the Board before September 1st to discuss contract language.

Sheyenne-Maple Flood Control District #2 – installation of a United States Geological Survey (USGS) real-time streamgage at the inlet structure

Chad Engels distributed a memorandum and aerial images regarding the installation of a USGS real-time streamgage at the Sheyenne-Maple Flood Control District #2 inlet structure. Mr. Engels said with more frequent operation of the project, due to the pumping of Devil's Lake, the current calibration technique for the streamgages in place is insufficient. The USGS would like to install an additional real-time streamgage at the inlet, and move the existing streamgage upstream to a more accessible location, at no additional cost to Southeast Cass Water Resource District.

Amber Plains Subdivision drainage plan

Jason Benson updated the Board on the status of the Amber Plains Subdivision Plan and said residents in that area expressed interest in paving an existing gravel road last year, and were directed by the Township to be sure it would not create drainage problems. A preliminary cost estimate and plans had been created, but an assessment

district was not formed. Recently, residents of Amber Plains Subdivision have shown new interest in a potential drainage project. The Board directed property owners to contact Mr. Engels and the City of Fargo if they would like to bring the issue to the Board for discussion in the future.

Drain reassessments – boundary update

Kyle Volk met with the board to discuss updated boundaries, based on LiDAR, for the reassessment of Drains #3, #10, #21, #40 and #45. The Board discussed several considerations presented by Mr. Volk and will revisit the issue at a future meeting.

Sean Fredricks distributed a *Resolution of Necessity* to consolidate Drain #9 and Drain #40 for the Board's review. The matter will be discussed at a future meeting.

Assessment on Drain #53 property

Mr. Volk discussed City of Fargo assessments on Drain #53 properties. It was moved by Manager Jacobson and seconded by Manager Yohe to direct the Secretary-Treasurer to send a letter to the City of Fargo regarding the assessments on Drain #53 properties. Upon roll call vote, the motion carried unanimously.

Drain #45 Improvements

Mr. Engels distributed a cost estimate on preliminary engineering for Drain #45 Improvements, from the Sheyenne-Maple Flood Control District #1 tie-back levee to the BNSF railroad.

It was moved by Manager Yohe and seconded by Manager Jacobson to authorize Moore Engineering, Inc. to proceed with the proposal for Drain #45 Improvements preliminary engineering, at a cost not to exceed \$20,000. Upon roll call vote, the motion carried unanimously. The City of West Fargo would be responsible for building the project.

Drain #10 Slide Repairs at NDSU

Kurt Lysne reviewed options and an *Engineer's Opinion of Probable Cost* regarding 2014 Drain #10 Slide Repairs at NDSU. Mr. Engels will contact NDSU and the City of Fargo regarding Drain #10 right-of-way before the next meeting.

State Water Plan for the 2015-2017 biennium – projects / programs to submit

Mr. Engels distributed a proposed list of project submittals for the State Water Plan for the 2015-2017 biennium. The Board directed Mr. Engels to meet with representatives from the City of West Fargo to refine the list for the Board's review at the next meeting.

Pat Downs distributed a list of projects proposed for submittal by the Richland County Water Resource District. Mr. Engels will be in contact with the engineers for the Richland County Water Resource District.

Southeast Cass Water Resource District Project Dashboard

Mr. Engels reviewed the updated Southeast Cass Water Resource District Project Dashboard. He will add State Water Commission updates and will begin to send out the project dashboard for the Board's review before meetings.

Correspondence from the Fargo Department of Planning and Development – April Preliminary Packet

It was moved by Manager Jacobson and seconded by Manager Yohe to authorize the Chairman to sign the plat for *The Fields First Addition* and to authorize the Water Resource District Engineer to review and comment on the Fargo Department of Planning and Development correspondence regarding the April preliminary packet. Upon roll call vote, the motion carried unanimously.

Dissemination Agent Agreement with Dougherty & Company LLC

It was moved by Manager Yohe and seconded by Manager Jacobson to approve the *Dissemination Agent Agreement with Dougherty & Company, LLC*. Upon roll call vote, the motion carried unanimously.

Bills

It was moved by Manager Jacobson and seconded by Manager Yohe to approve payment of Checks #11162 through #11175, the electronic funds transfer and the debit card transaction, as presented. Upon roll call vote, the following Managers voted in favor: Brodshaug, Jacobson and Yohe. The Chairman declared the motion passed.

Precision Network

Manager Yohe and Mr. Engels will coordinate with a representative from Precision Network to discuss a potential presentation at a future meeting.

Adjournment

There being no further business for the Board to consider, it was moved by Manager Yohe, seconded by Manager Jacobson and unanimously carried to adjourn the meeting.

APPROVED:

Mark Brodshaug
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer